



BEFORE THE
GUAM CIVIL SERVICE COMMISSION
BOARD OF COMMISSIONERS



2015 APR -9 PM 2:36
JSC

IN THE MATTER OF:

GRIEVANCE APPEAL
CASE NOS. 14-GRE-56, 14-GRE-51,
14-GRE-47 and 14-GRE-55

DONALD SAN AGUSTIN, JAY J.
FEJERAN, CELINE M. TAITAGUE and
GABRIELLA P.R. RIPPEL,

DECISION AND ORDER

Employee,

vs.

ATTORNEY GENERAL'S OFFICE and
DEPARTMENT OF ADMINISTRATION,

Office of the Legislative Secretary
Senator Tina Rose Mulla Barnes
Date 4-08-15
Time 4:00
Received by [Signature]

Management.

This case came before the Civil Service Commission at its regularly scheduled meeting on February 12, 2015, at 5:45 p.m., at its office located in Sinajana, Guam.

By a vote of 5-0, the Commission accepted the parties request pursuant to the attached Stipulation and Order Remanding Grievance Appeals to Office of Attorney General for Compliance with DOA RULE 12.802.

IT IS SO ORDERED THIS 7th DAY OF April 2015 nunc pro tunc to February 12, 2015. 33-15-0321

[Signature] LUIS R. BAZA
Chairman

[Signature] MANUEL R. PINAUN
Vice-Chairman

Office of the Speaker
Judith E. Won Pat, Ed.D

[Signature] PRISCILLA T. TUNCAF
Commissioner

[Signature] JOHN SMITH
Commissioner

Date: 04-08-15
Time: 4:45 pm
Received By: [Signature]

ORIGINAL

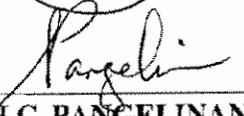
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LOU HONGYEE
 Commissioner

Not Present

DANIEL D. LEON GUERRERO
 Commissioner



EDITH C. PANGELINAN
 Commissioner

The employee(s) and management further stipulate that the Office of the Attorney General has authority to conduct the Step Four Formal Grievance Procedure and neither party can later raise the lack of such authority of the Office of the Attorney General in this regard as a basis for overturning a resolution or decision in this matter.

As DOA rule 12.802A provides for appointment of the Grievance Review Board within 10 days of receipt of Step 4, and as Step 4 was filed by employees quite a while ago, the parties agree that the 10 day period will begin upon the date of entry of this Stipulation and Order by the Civil Service Commission.

As DOA rule 12.802D provides for the Grievance Review Board to conclude its investigation within 20 days of its appointment, in the interests of justice, the parties agree that the Grievance Review Board shall conclude its investigation within 40 days of its appointment.

The parties agree that failing mutual agreement on the outcome of the Grievance Review Board process (i.e., Step 4) – the parties will resume Step 5 of the Grievance Review Process at its current stage, i.e., continuation of the appeal before the Civil Service Commission.

For tracking purposes, these matters are scheduled for prehearing conferences in 2016.

So agreed:


DONALD SAN AGUSTIN
Employee

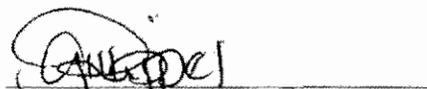
Date: 01/22/15


JAY J. FEJERAN
Employee

Date: 1/22/15


CELINE M. TAITAGUE
Employee

Date: 01.22.15


GABRIELA P.R. RIPPEL
Employee

Date: 01/22/15

So agreed:

OFFICE OF THE ATTORNEY GENERAL
Elizabeth Barrett-Anderson, Attorney General

By: 
KARL P. ESPALDON
Deputy Attorney General
Management

Date: _____

So Ordered.

Dated this ____ day of _____, 2015.

MANUAL R. PINAUI, Vice Chairman

DANIEL LEON GUERRERO, Commissioner

LOURDES HONGYEE, Commissioner

PRISCILLA T. TUNCAP, Commissioner

JOHN SMITH, Commissioner

EDITH PANGELINAN, Commissioner